

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

**VOLUNTARY STATEMENT**

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EVENT #: 171001-3519

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SPECIFIC CRIME: MURDER

DATE OCCURRED: 10-01-17

TIME OCCURRED:

LOCATION OF OCCURRENCE:

CITY OF LAS VEGAS

CLARK COUNTY

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NAME OF PERSON GIVING STATEMENT: OFFICER JOE SMITH P# 13218

DOB:

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

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The following is the transcription of a tape-recorded interview conducted by DETECTIVE J. GRIMMETT, P# 7056, LVMPD HOMICIDE SECTION, on October 25, 2017 at 1756 hours.

Also present is PPA Representative B. Yant, P# 6956, LVMPD Police Protective Association.

Q: Okay, operator, this is Detective Grimmert, P# 7056, conducting a witness officer interview with Officer Joe Smith, P# 13218, as part of an internal investigation under LVMPD Event# 171001-3519. This interview is being conducted at headquarters, Building A, second floor, in the homicide office on October 25, 2017, and the time is 1756 hours. Also present at this time is PP - PPA, uh, Rep. Bryan Yant, P# 6...

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Q1: 6956.

Q: All right. Do you understand this conversation is being recorded, Joe?

A: Yep.

Q: Are you making this statement freely and voluntarily without any promises, without any threats or duress to provide information in an administrative and criminal investigation being conducted by the Las Vegas Metropolitan Police Department?

A: Yes.

Q: Okay. Are you aware that anything you say may at some point in time be used as part of an administrative report?

A: Yes.

Q: Okay. So I'm just gonna start from the beginning, man. Please just explain to me your, uh, assignment during the event, you know, uh, whether you were on, you know, in uniform or special events or whatever your situation was that led you to this event.

A: All right. So I was working special events, uh, uniform, uh, traffic control. Uh, I was, uh, at the intersection of Mandalay Bay and Las Vegas Boulevard. Um, I was specifically on the - was it the southwest corner, uh, which is the corner of Mandalay Bay. Uh, we started hearing, um, I started hearing loud, uh, pops. I saw people taking cover. Looked up. Uh, well, first, I was looking around like 'cause it sounded like it was kind of echoing around, uh, the area and then I

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heard some glass break, which caused me to look up. When I looked up, I can see the smoke coming out of the side of the building so at that time I just instantly, uh, ran through the walkway area of Mandalay Bay, ran into the casino, uh, ran to the security podium, told them that they had an active shooter, that they needed to start pushing their people out of the casino. And I was advised that they had someone who was, uh, shooting, uh, or like a security officer said, "Shots fired up on the 32nd floor." I ran to the, uh, grabbed a security guard. We ran over to the elevator and then, uh, as I was waiting for the elevator, just as the doors were opening up, I saw a tac team come in of like four or five guys, so grabbed them. We got into the elevator. The decision was made to go up to the 31st floor, so we went up to 31st and then went up to, uh, went up like a stairwell up to 32nd. Uh, met up with some like engineers and security guards that were in, like, the round vestibule area through the, um, the hallways, you know, like the, uh, met up with them. And they pointed out the room. So we devised a plan to start going through and, uh, the way the doors are set up, so you got the long hallway where the room is and then all the rooms are two doors and they're kind of like cut in. So we devised - so we went in there. They put the long rifles up front and then, uh, we went in there and started clearing rooms, evacuating people. Uh, we got about halfway there. Um, I realized I was still wearing my traffic vest, so I took off my traffic vest, which was just left in the hallway.

Recovered that and then, uh, like I said, we got about halfway down, decided not

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to go any further because of the long rifles and we didn't hear any more shooting. So waited and then since I had a handgun, uh, Pat Burke sent me back to the, um, vestibule area, you know, to make sure nobody came from behind or whatever. And then that's when, uh, SWAT Officer Levi came up. I kind of gave him the two cents of what was going on. Then he ran off and then next thing I know the alarms were going off because the door was blown.

Q: Okay. That's pretty, uh, pretty clear cut. Uh, when you guys entered the hotel or when you entered the hotel and started, uh, notifying security of, uh, the possible active shooter and all that inform- you know, what you had learned from being...

A: Mm-hm.

Q: ...outside and seeing what you saw and the glass breaking and all that stuff, was the shooting still continuing to go at that point in time?

A: You know, I heard the bursts. Once I got into the casino, I couldn't really hear anything. You know, uh, everything was like super calm inside. Like nobody even knew what was going on. Uh, you know, I actually had to run all the way through the entire casino to find the one podium where I know where it is over near like the Michael Jackson Theater or whatever.

Q: Mm-hm.

A: And then, uh, like I said, everybody was super calm and when I went running up and then all of a sudden he was like - they must have like just came across a radio or something and then another security officer grabbed me cause they're

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like, well, you know, this guy can't help you because he doesn't have a radio.

Like they've only got like half of their people have radios there.

Q: Okay.

A: Security. So then he, uh, so another guy came running up. I was like, "I just need to know..." And he's like, "32nd floor." I was like, "I need to know where the elevator is 'cause we're going."

Q: Okay.

A: You know, and then he ran to the elevator and I just happened to catch those guys right before I got on so...

Q: The, uh, the team you - or the team that was put together that you later joined and went up to the 31st floor and eventually to the 32nd floor...

A: Mm-hm.

Q: ...to address the threat, is that - that something that you guys just kind of - I mean you saw each other, you put it together and you just...

A: Well, they were already formed up.

Q: Okay.

A: You know, like I said, and I saw them, they had their rifles and stuff. I only had the handgun because, uh, like I said, my car was across the street on the, um, sidewalk. So, you know, once I saw, I just instantly just took off running. So, uh, I only had a handgun, so once I saw the guys with rifles, I was like that's cool, so I grabbed them and up we went.

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Q: Right. Okay.

A: So, but, yeah, I mean it was one of those, like I said, they were already kind of formed up. I don't think anybody really - they came in. I don't think anybody really knew where to go. So like I said, I already had the intel, so I just grabbed them and I said, "Hey, guy, can you go up to the 32nd?" All right.

Q: And you got that intel from the security folks at...

A: At the podium.

Q: Okay. All right.

A: Yeah.

Q: Uh, on - on the - once you got up to the 32nd floor and you guys are, you know, slowly making your way down the hallway, uh, did you encounter anybody else, any other officers up there that were trying to - I know eventually you said Levi Hancock, uh, from SWAT eventually, uh...

A: Right.

Q: ...caught up with you guys. You briefed him as to what you had and then he proceeded to do what he had to do, but, uh, was there any other officers up there, uh, prior to you guys or were you guys the first ones on the floor?

A: No. We were the first ones up there.

Q: Okay. You and, uh, you remember the guys that were with you, their names or anything or...

A: I only know Pat Burke. Uh, I know one guy's like a redheaded guy. Uh, he

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stands out. He's got like the, you know, uh, mustache.

Q: Okay.

A: Um, one guy was with Pat Burke. They seemed to know each other really well.

Um, I think later one guy, one detective showed up and had no shoes on. Um, I think there was like, uh, I know, um, what was it, uh, Sergeant Matchko came up after the fact when we were, um, already - once I already retreated back to the vestibule area. There was like - counting me there was four or five of us. I'm not sure the other names.

Q: Mm-hm.

A: I only know Pat Burke 'cause he was my Tac.

Q: I got you. I got you.

A: So...

Q: I got you. Uh, were they all in the uniform of the day or were these plainclothes officers that were forming a tactical team up or...

A: Uh, no. There was a - um, myself was here, the - the redheaded, Pat Burke and the other guy that was with Pat, he, uh, were all in uniform. There was like a female wearing a black vest that said police, but I didn't recognize her. And then, um, I think the detective with no shoes on was just plainclothes.

Q: Okay.

A: With a tac vest on.

Q: All right. So you guys about up to the 31st floor, you take the stairs up, you make

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your way to the hub of that floor where the elevator, uh, shafts are kind of in the middle that floor?

A: Mm-hm.

Q: Uh, you kind of start piggybacking into the little cutouts, room to room until you get to this point where you realize there's no more shots being fired. Uh, you kind of hold your positions. Levi comes up, makes contact with you. You brief him as to what you got and then he proceeds to go ahead and breach the door and blow and do what he needs...

A: Yeah. Well, he left and went down the hallway. I'm assuming he left and went down a floor and then came up the other stairwell that was closest to it.

Q: Okay.

A: Uh, like I said, I didn't know the other team was there, but, uh, for whatever reason I was having horrible radio reception inside that casino, so other people were seeming to be getting stuff, but I wasn't getting anything so...

Q: Okay. All right. Fair enough. Uh, kind of an open-ended question, but, um, do you feel as though you were adequately prepared and trained to handle a situation like this?

A: I think the training was there. It's just not refreshed enough if that makes sense. So like 'cause, you know, my - and it's just my personal opinion, like, you know, I get the whole, like, you know, the guys got long rifles and everything else, but, you know, I - I don't - I didn't necessarily agree with going to the 31st floor to go



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up to the 32nd 'cause I felt like it just wasted time that we didn't need to. You know, I was always active shooter you go right there. You know, and, uh, that was kind of my thing a little bit. You know, uh, I didn't really necessarily see the reason to evacuate people at that point. You know, I mean, we still don't know - I mean we weren't hearing shots, but, you know, they were, like, "Hey, he dead-bolted this door. Nobody's come out of that door since the shots came out. We know the guy's in there." You know what I mean, so it's like, you know, I - I guess it's, uh, easy to Monday morning quarterback a little bit.

Q: Right. Exactly.

A: You know what I'm saying? Like for me it's like - and people are gonna say everything, you know. I beat myself up a little bit, like, we should have just ran down the hall and just kicked in the fucking door and called it a day.

Q: Right.

A: As far as I'm concerned. But it didn't work that way.

Q: Right.

A: You know, and like the whole - when you start to hear the stories that it was like over an hour, I was like - I know I was up to that floor within ten minutes of the shooting. You know I can almost guarantee that, so the fact it took us an hour to breach that door, that kind of irritates me a little bit, but, you know, I don't know if it's - I think people were - lack of a better word- people were psyching themselves out. You know, there's people up there, like, "I can smell that it's a belt-fed." You

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can't smell it's a belt-fed.

Q: Right, right.

A: You know, but people were just like, these are automatic guns so nobody wanted to be that first guy in the door and I get it. You know, but for me it was just like, you know, that was my only thing is that, you know, 'cause we do do a lot of mac-tac stuff and, you know, like you see the ForcePro, like afterwards the ForcePro was great, you know, watching all that coming back and forth and everything else. It just seems like we do, you know, a lot of that and not so much of the, you know, sometimes we just need to go in there and just handle it. But that was just my personal...

Q: Right.

A: ...thing on it.

Q: Do you know why the decision was made to go to the 31st instead of 32nd within your...

A: It was just, you know...

Q: Is that....

A: It was just said, "Hey, we're not going up to the 32nd right away."

Q: Right.

A: You know, even when we came off the 31st, it was like everybody, you know, like squatting down and the long rifles out and I get the whole safety thing, but...

Q: Yeah.

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A: ...you know, to me it just - you know what I'm saying? You know, and I'm not gonna leave my - I'm not gonna be like the one guy who's like I'm just gonna ride this up to the 32nd, I'll meet you guys up there.

Q: Right. Oh, yeah, yeah.

A: You know what I mean?

Q: No, I mean, you guys are still a team and you move as a team...

A: Yeah, exactly.

Q: ...and you make decisions as a team...

A: You know, so...

Q: ...and you do what you do. No worries.

A: You know, it's not a time to get in a pissing match.

Q: Right.

A: You know so I'm just like, you know, but we still need to make this quick.

Q: Okay.

A: Let's get up there.

Q: Uh, is there any training the department might need to institute to better prepare officers to handle a situation like this? I know you talked about, you know, uh, just more of it, but is there anything specific that you think needs to be implemented as far as training? And I get that the situation was definitely a - a - a unique situation.

A: Yeah, yeah.

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Q: And it's, you know, we're all trained to go attack the threat, you know, and when you don't know where it's coming from, first of all, and it takes you a while to figure it out and then...

A: Right.

Q: ...trying to respond to it, I mean is this anything we can do better as a department as far as, you know, training and, you know, something - maybe - maybe a class or - or a technique that we haven't had or haven't trained on that we might consider instituting or implementing?

A: Not that I can think of at the time.

Q: Mm-hm.

A: Like I said, it's all there and I think everybody, you know, ran it, you know, about as smooth as you possibly can expect in a situation like that so...

Q: Cool. And as far as equipment is there any equipment the department might need to consider that would have better assisted you in handling the situation?

A: I mean, like I said, I had my rifle. I just wasn't in an opportune place to grab it. I mean, you know, besides like directing traffic with a rifle around my neck, which is completely impractical, you know.

Q: Right.

A: And it's like, (unintelligible) - I sit there and I look at, you know, like running through the casino and everything, like, you know, even rifle plates wouldn't have, you know, that would have bogged me down anyways, so I mean I think

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we pretty much had everything.

Q: Okay.

A: That I can think of.

Q: All right. When you initially started this event, uh, did you guys have like a special event briefing or anything with supervisors or the staff that was there? Was there like a briefing about what your responsibilities were for the night?

A: Yep. Uh, they had it - they had the whole, um, command post set up.

Q: All right.

A: 'Cause it was a pretty big, uh, venue, so and that's where I recognized a lot of people from, you know, and, uh, like I said, and I know and then they went over the initial thing. Lieutenant was there, uh, said his two cents and then, uh, we kind of broke up into our little sergeants pairs and they kind of told us where we were and what we were doing.

Q: You feel the briefing was adequate?

A: Yeah.

Q: All right. And then you've already talked about the, uh, the radio. Um, some people were able to transmit, some weren't. Um, I mean do you - was there an issue or did you have - I mean, you've - you've - was it sufficient or I mean was it people just constantly getting on the radio and stepping on each other?

A: Yeah, I think - I think there was some of that. You know, there was a lot of the yo- and I - like I - I don't know dispatchers' training and I get it that, you know, it's

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kind of habit for them to, you know, it's kind of like, you know, you put up a red, and then, you know, they repeat that you're putting up the red kind of thing. So there's a lot of that repeat that we probably didn't need. You know, but at the same token, like, you know, there's people on the radio that don't need to be on the radio, like, you know, but there's no, you know, like I said if, ands or whatever.

Q: Right.

A: You know, I mean, I was, uh, like I said 'cause I, uh, it was clearly set out over the radio I know 'cause several people I talked to since have heard it and I came right across. I said, "Hey, it's coming from Mandalay Bay for sure." You know, and then, uh, yeah, I think, uh, so we had that, you know, but again I mean everybody, you know, it's only frustrating to me 'cause I want to get on the radio.

Q: Right.

A: And say my two - I - I want to be part of the problem, too.

Q: I got you. Is - is there anything else I failed to ask you that you think might be important?

A: No, I don't think so.

Q: All right. And then, uh, did you actually enter the room where, uh, the suspect was? I mean eventually did you ever - were you ever one of the ones to go in and actually clear the room or enter the room or...

A: No.

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Q: Okay.

A: Like I said it was one of those that, uh, I heard all of those other calls coming out, so I, uh, I didn't see any reason for me to go in or anything like that, so I immediately went back downstairs and started (unintelligible) on other teams.

Q: Okay. All right. Yant, you got anything?

Q1: No. Thank you.

Q: Okay. All right. Well, this will be the end of the interview. The same persons are present and the time is 1811.

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**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 400 MARTIN LUTHER KING BLVD LAS VEGAS, NV ON THE 25TH DAY OF OCTOBER, 2017 AT 1811 HOURS.**

JGR:NETTRANSCRIPTS

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